

Draft 18 July 2019

**COMMITMENTS BY MEMBER STATES  
FOR A PREDICTABLE TEMPORARY DISEMBARKATION SCHEME**

We, XXXX, in cooperation with the European Commission.

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Concerned with the situation in the Mediterranean and the many losses of lives of those attempting to reach Europe by sea,

Concerned with the continued unrest and the poor humanitarian and security conditions of migrants in Libya,

Noting that search and rescue operations and swift disembarkations in the closest safe harbour are essential to save lives,

Acknowledging the burden for maritime front line Member States resulting therefrom,

Aware that the ad hoc relocation scheme put in place since the summer of 2018 coordinated by the European Commission and supported by EASO and Frontex, has proven useful to facilitate disembarkations and ensure the reception of asylum seekers through relocation in several EU Member States, but at the same time recognizing that it has not been fully satisfactory since only a few EU Member States have engaged in this mechanism,

Acknowledging the need to improve this scheme to ensure that persons rescued at sea by private rescue vessels would be granted access to the closest safe harbour and to tackle the possible uncertainties regarding the reception of those on board, and the challenges of front line member states in this respect;

Continuing joint efforts for breaking people smugglers' business model and simultaneously aiming for reducing attempts to dangerous crossings of the Mediterranean Sea.

Noting that human smugglers try to exploit SAR rules and private rescue vessels in order to implement their business model,

Recalling that all vessels engaged in search and rescue operations have the obligation to respect international conventions,

Recalling that persons not in need of international protection have no right to stay in the EU and need to be returned as soon as possible,

In the common understanding that the mechanism agreed upon hereafter, while addressing the need to protect human life and provide assistance to any person in distress, shall not open new pathways to European shores,

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**Agree to:**

- Set up a more predictable and efficient temporary solidarity mechanism in order to ensure the swift and dignified disembarkation of migrants rescued at sea by private rescue vessels in the closest safe harbour,
- Contribute therefore, until October 2019 [until the end of 2019], in every single case to the reception of asylum seekers rescued at high seas by private rescue vessels in the Mediterranean by engaging in the relocation scheme coordinated by the European Commission for the disembarkations occurring in harbours of EU Member States.
- Use a fast track system for asylum and return which includes, at least, registration and security screening of all migrants and other relevant measures.
- Ensure the relocation of those applying for international protection to our national territories is achieved as fast as possible,

- Call on the other EU and Schengen Member States to participate in this scheme,
- Ensure the effective and quick return of those not eligible to international protection in the EU, with the logistical support of the newly-enhanced Frontex Agency and IOM, and, when needed, by providing political support, in coordination with the EEAS, for increased consular cooperation by countries of origin,
- Request all private rescue vessels engaged in search and rescue operations, in particular, to respect instructions given by the competent Maritime Rescue Coordination Center, not to turn off on-board transponders, not to send light signals or any other form of communication to facilitate the departure and embarkation of vessels carrying migrants from African shores, not to obstruct the Search and Rescue operations by official Coast Guard vessels, and to provide for specific measures to safeguard the security of migrants and operators.
- Continue efforts to ensure a sustainable reform of the Common European Asylum System, including the Dublin Regulation, taking into consideration the current imbalances of burden between Member States, based on a balance of responsibility and solidarity, and taking into account the persons disembarked following search and rescue operations.
- Continue and deepen our cooperation with countries of origin and transit to fight illegal migration and human trafficking.
- Commit to enhancing the capacities of coast guards of southern Mediterranean countries and to encouraging UNHCR and IOM to support disembarkation modalities in full respect of human rights in those countries. ./.